

1  
2  
3  
4  
5  
6  
7  
8 WILLIAM PRESTON DAVIS, AT4428,  
9 Plaintiff,  
10 v.  
11 DAVID LEHR, Esq.,  
12 Defendant(s).  
13  
14

15 Case No. 16-4407 SK (PR)  
16  
17 **ORDER OF TRANSFER**  
18

19 Plaintiff, a prisoner at Mule Creek State Prison in Ione, California, has filed a pro se  
20 complaint for damages and declaratory relief under 42 U.S.C. § 1983 alleging that his  
21 criminal defense attorney, David Lehr of Ventura, California, conspired with the  
22 prosecutor to deprive plaintiff of his federal constitutional right to a fair trial.  
23

24 The court takes judicial notice that plaintiff was convicted of various sexual  
25 offenses in Ventura County Superior Court and sentenced to 100 years to life in state  
26 prison. See People v. Davis, No. B256629, 2015 WL 1951905, at \*1 (Cal. Ct. App. Apr.  
27 30, 2015).

28 A substantial part of the events or omissions giving rise to plaintiff's claim  
29 occurred, and the named defendant resides, in the County of Ventura, which lies within the  
30 venue of the Central District of California, Western Division. See 28 U.S.C. § 84(c)(2).  
31 Venue therefore properly lies in the Central District, Western Division. See id. § 1391(b).  
32

1           Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28  
2 U.S.C. § 1406(a), this action be TRANSFERRED to the United States District Court for  
3 the Central District of California, Western Division.

4           The clerk shall transfer this matter and terminate all pending motions as moot.

5           **IT IS SO ORDERED.**

6           Dated: August 8, 2016

  
\_\_\_\_\_  
SALLIE KIM  
United States Magistrate Judge

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28